IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION
AND
IN ITS INHERENT JURISDICTION

GUARDIANSHIP PETITION NO.139 OF 2005

Swati Mukherjee ..Petitioner.

Mr.P.M.Havnur for petitioner.

CORAM: A.M.KHANWILKAR,J

DATE : OCTOBER 5, 2005.

P.C. :

1. Heard counsel for the petitioner. Inspite of notice, none appears. No claim has been received either to oppose or support this petition.

2. Petitioner is the Executive director of Vatsalya Foundation and has been associated with the Foundation from 1989. Petitioner seeks to apply for appointment herself as legal guardian of Patel Krishna Vinod Laxmi, aged 13 years and Yakub Sheikh aged 14 years respectively. Both the minors have been admitted in the shelter (Vatsalya Foundation) in their early childhood at the age of 5 years. They were admitted by their family members in the above named shelter. Minors are presently under the care and custody of Vatsalya Foundation. Minors are now being invited in respect of some interaction

programme which position is fortified from the communication placed on record dated 16th February, 2005. That programme commences from 21st October, 2005 till 28th October, 2005. In this backdrop, petitioner has prayed this court for the limited relief to be appointed as legal guardian for seeking passport of the above named children. In the interest of minors, I am inclined to allow petition in terms of prayer clause (a). This is so because, the family members of the minors have given no objection on affidavit before this court.

Prayer clause (a) reads thus :

> That this Hon'ble court be pleased to appoint the Petitioner, Swati Mukherjee, as legal guardian for the purpose of seeking passports for children,
>
> (1) Patel Krishna Vinod Laxmi and
>
> (2) Yakub Sheikh;

3. Ordered accordingly.

4. Regional Passport office and concerned

authorities to act on the ordinary copy of this order duly authenticated by Chamber Registrar/Associate.